

MAM

**FORM TO BE USED BY A PRISONER FILING A
42 U.S.C. § 1983 CIVIL RIGHTS COMPLAINT
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

I. CAPTION

Troy Tagwell Alvin
 (Enter the full name of the plaintiff or plaintiffs)

v.

1) Edward G. Smith; 2) William M. Blak; 3) Michael Calabrese; 4) Jeffrey Karp
 (Enter the full name of the defendant or defendants)

04-384

FILED

FEB 25 2004

MICHAEL E. KUNZ, Clerk

By _____ Dep. Clerk

II. PARTIES**a. Plaintiff**

Full name: Troy Tagwell Alvin

Prison identification number: OC X176 - 183 GC 2402

Place of present confinement: Northampton County Prison

Address: 601 Walnut St, Easton, PA 18342

Place of confinement at time of incidents or conditions alleged in complaint, including address:

A-plus Mini Mart, Firmanburg Avenue, Palmer Township

Additional plaintiffs: Provide the same information for any additional plaintiffs on the reverse of this page or on a separate sheet of paper.

b. Defendants: (list only those defendants named in the caption of the complaint, section I)

1. Full name including title: Edward G. Smith

Place of employment and section or unit: Northampton County Govt Center/Judge

2. Full name including title: William M. Blak

Place of employment and section or unit: Northampton County Govt Center/Judge Attorney

3. Full name including title: Michael Calabrese, LT

Place of employment and section or unit: Silver Township Police/Fastline Patrol

4. Full name including title: Jeffrey Karp, LT

Place of employment and section or unit: Silver Township Police/Fastline Patrol

Additional defendants: Provide the same information for any additional defendants on the reverse of this page or on a separate sheet of paper.

III. PREVIOUS LAWSUITS

Instructions:

If you have filed other lawsuits in any federal or state court dealing with the same facts as this complaint or other facts related to your imprisonment, you must provide the information requested below. If you have not filed other lawsuits, proceed to Section IV, Administrative Remedies, on this page.

If you have filed other lawsuits, provide the following information.

Parties to your previous lawsuit:

Plaintiffs _____

Defendants _____

Issues: _____

Court: if federal, which district? _____

if state, which county? _____

Docket number: _____ Date filed: _____

Name of presiding judge: _____

Disposition: (check correct answer(s)); Date: _____

Dismissed _____ Reason? _____

Judgment _____ In whose favor? _____

Pending _____ Current status? _____

Other _____ Explain _____

Appeal filed? _____ Current status? _____

Additional lawsuits. Provide the same information concerning any other lawsuits you have filed concerning the same facts as this action or other facts related to your imprisonment. You may use the back of this page or a separate sheet of paper for this purpose.

IV. ADMINISTRATIVE REMEDIES

Instructions:

Provide the information requested below if there is an administrative procedure to resolve the issues you raise in this complaint. Examples of administrative procedures include review of grievances, disciplinary action, and custody issues. If no administrative procedures apply to the issues in this complaint, proceed to Section V, Statement of Claim, on page 4.

a. Describe the administrative procedures available to resolve the issues raised in this complaint:

Type of procedure. (grievance, disciplinary review, etc.)

Authority for procedure. (DC-ADM, inmate handbook, etc.)

Formal or informal procedure.

Who conducts the initial review?

What additional review and appeals are available?

b. Describe the administrative procedures you followed to resolve the issues raised in this complaint before filing this complaint:

On what date did you request initial review?

What action did you ask prison authorities to take?

What response did you receive to your request?

What further review did you seek and on what dates did you file the requests?

What responses did you receive to your requests for further review?

c. If you did not follow each step of the administrative procedures available to resolve the issues raised in this complaint explain why.

I, Troy T. Alan am not filing this lawsuit against prison officials.

V. STATEMENT OF CLAIM

Instructions:

State here as briefly as possible the facts of your case. Use plain language and do not make legal arguments or cite cases or statutes. State how each defendant violated your constitutional rights. Although you may refer to any person, make claims only against the defendants listed in the Caption, Section I. Make only claims which are factually related. Each claim should be numbered and set forth in a separate paragraph with an explanation of how the defendants were involved. Use the reverse of this page or a separate sheet of paper if you need more space.

Statement of claim:

On April 8, 02 - trial on merits that transpired in the late evening hours of April 4, 02 - Palmer Township Police were investigating a robbery that occurred in the neighboring Township of Bethlehem - the witness Captain apprehended me based on the crime mentioned above with regards to me being "Black within Three quarters of a mile" away from the border line of where the robbery occurred. William M Black later presented the case and Judge Edward G. Smith was the overseeing Judge for my case. I was found guilty at trial, then filed an appeal. According to superior court judges that Judge Edward G. Smith erred during the process regarding my suppression of Evidence having claiming that I was not granted due process (My) Sixth and Seventh Amendment rights. → →

VI. RELIEF

Instruction: Briefly state exactly what you want the Court to do for you.

Relief sought:

1) False and/or Unlawful confinement in violation of my 4th and 14th Amendments Compensatory Damages for 1 year months and 10 days - \$1953.00; 2) Pain and suffering, and Mental anguish in violation of my First and Fourteenth Amendment rights (general damages) \$10,000.00; 3) → →

VII. DECLARATION AND SIGNATURE

I (we) declare under penalty of perjury that the foregoing is true and correct.

1/16/04
DATE

Troy T. Alvin / J. T. Alvin
SIGNATURE OF PLAINTIFF(S)

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF NORTHAMPTON) SS:
)

Before me, the undersigned notary public, this day, personally appeared
TROY T. ALVIN, known to me (or satisfactorily proven), who
being duly sworn according to law, affirm that the statements contained in this affidavit
are true and accurate to the best of his/her knowledge, information and belief.

Sworn and subscribed to before me,
this 21st day of January, 2004.

Alice F. Flavelle

Notary Public

